

Serial No. 09/537,654  
Group Art Unit: 1638

**In the Claims:**

Please cancel claims ~~1~~ and ~~11~~ without prejudice.

Please amend claims 2, 7, 9 and 10 as follows:

ak  
2. (Amended) A recombinant expression cassette comprising a member of claim 12 operably linked to a promoter.

AS  
7. (Amended) The transgenic plant of claim 4, wherein said plant is selected from the group consisting of maize, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.

AL  
SUBCS  
9. (Amended) A method of modulating the level of RAD51C in a plant, comprising:  
(a) introducing into a plant cell a recombinant expression cassette comprising a polynucleotide of claim 12 operably linked to a promoter;  
(b) culturing the plant cell under plant cell growing conditions;  
(c) regenerating a whole plant which possesses the transformed genotype; and  
(d) inducing expression of said polynucleotide for a time sufficient to modulate the level of RAD51C in said plant.

10. (Amended) The method of claim 9, wherein the plant is selected from the group consisting of maize, soybean, sunflower, sorghum, canola, wheat, alfalfa, cotton, rice, barley, and millet.

Please add new claims 12-15 as follows:

- SUB C6  
A7
12. An isolated polynucleotide encoding a polypeptide with Rad51C activity comprising a member selected from the group consisting of:
- (a) a polynucleotide having at least 80% sequence identity over the entire length of the reference sequence, as determined by the GAP program under default parameters, to a polynucleotide of SEQ ID NO: 1;
  - (b) a polynucleotide encoding a polypeptide of SEQ ID NO: 2;
  - (c) a polynucleotide of SEQ ID NO: 1;
  - (d) a polynucleotide which is fully complementary to a polynucleotide of (a), (b), or (c).
13. An isolated polynucleotide amplified from a *Zea mays* nucleic acid library using primers which selectively hybridize, under stringent hybridization conditions, to loci within a polynucleotide of SEQ ID NO: 1, wherein the polynucleotide encodes a polypeptide with Rad51C activity.
- SUB C7
14. An isolated polynucleotide comprising at least 100 contiguous nucleotides which selectively hybridizes, under stringent hybridization conditions and a wash in 0.1X SSC at 60°C, to a polynucleotide of SEQ ID NO: 1.
15. An isolated polynucleotide comprising at least 50 contiguous nucleotides from a polynucleotide of SEQ ID NO: 1.